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HOUSE BILL No. .]

[SES. 1863.

Introduced by Mr. SHERWOOD, of Guilford.

W. W. Holden, Printer to the State.

## REPORT OF COMMITTEE.

The Select Committee, to which was referred that portion of the Governor's Message relating to the "Guard for Home Defence," and also two bills on the same subject, ask leave to report the following bill, and recommend its passage.

M. S. SHERWOOD, *Ch'm'n.*

A BILL TO AMEND "AN ACT IN RELATION TO THE MILITIA AND A GUARD FOR HOME DEFENCE."

SECTION 1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* That neither the Governor of this State nor the officers acting under an Act ratified on the 7th day of July, 1863, entitled an "Act in Relation to the Militia and a Guard for Home Defence," shall call out for drill or muster the persons enrolled under said Act, oftener than once a month in company drill or oftener than twice a year in battalion drill; which battalion drills shall take the place of the company drills for the month in which they are appointed, unless when called into actual service to repel invasion, or suppress insurrection.

SEC. 2. *Be it further enacted,* That the Governor shall have the power to use the Guards for Home Defence for the purpose of arresting conscripts and deserters, *provided,*

4 however, that when used for that purpose they shall not be  
5 ordered beyond the limits of their respective counties.

SEC. 3. *Be it further enacted*, That there shall be exempt  
2 from service, under the Act to which this is an amend-  
3 ment, County Commissioners, appointed under an Act  
4 "entitled an Act for the relief of wives and families of  
5 soldiers in the Army," regular Millers, Blacksmiths, who  
6 have established shops, Hatters, necessary operatives  
7 in Factories and Foundaries, the Attorney General, Solic-  
8 itor of the several circuits and counties, Physicians of five  
9 years practice, Contractors with the State or Confederate  
10 Government and their necessary employees, one Editor to  
11 each newspaper and the necessary Compositors, Mail  
12 Carriers, Professors in Colleges and Teachers in Acad-  
13 emies; *Provided* always, that nothing herein contained  
14 shall exempt any of the classes above named from being  
15 called out to repel an invasion of the counties in which  
16 they reside or to suppress insurrection in the same.

SEC. 4. *Be it further enacted*, That for failure to attend  
2 at battallion drill, each field officer shall forfeit and pay  
3 one hundred dollars, each captain and other officers who  
4 shall fail to muster and drill their companies the times  
5 appointed, shall forfeit and pay for each failure fifty dol-  
6 lars, and if a non-commissioned officer or private shall fail  
7 to attend at company drill, he shall forfeit and pay not  
8 less than five nor more than twenty-five dollars, *Provided*,  
9 that every absentee shall be allowed until the next muster  
10 to make his excuse. The fines shall be adjudged by regi-  
11 mental and company court martials, and judgments are to  
12 be entered up and the fines collected in the same mode  
13 and in accordance with the provisions of the Militia Law  
14 of North-Carolina, passed at the Second Extra Session of  
15 the General Assembly, 1861.

SEC. 5. *Be it further enacted*, That the Surgeon General,  
2 by and with the advice and consent of the Governor, may  
3 appoint Surgical Boards, not exceeding three, composed  
4 of two physicians each, who shall declare by their certi-

5 ficates those persons who shall be exempt from service,  
6 under the act to which this is an amendment, on account  
7 of mental or physical disability.

SEC. 6. *Be it further enacted*, That the Guards for Home  
2 Defence, should they be called into service by the Gov-  
3 ernor, under the authority given to him in the act to  
4 which this is an amendment, shall receive the same  
5 pay, rations and allowances as soldiers in the Con-  
6 federate States service.

SEC. 7. *Be it further enacted*, That this Act shall be in  
2 force, and take effect from and after its ratification.

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